

The Examiner objected to claims 2 and 12 on the ground that the term "ΔE553" had no meaning. Page 22, line 30 of the specification (WO 99/02713) indicates that the term refers to PE in which the amino acid Glu at position 553 of SEQ ID NO:2 is deleted. Accordingly, Applicant has amended these claims to indicate this deletion more specifically.

The Examiner objected to claim 14 on the ground that ntPE-V3MN14 and ntPE-V3MN26 were arbitrary designations. Accordingly, Applicant has amended this claim to indicate that the amino acid sequence of these constructs is the amino acid sequence of native PE (SEQ ID NO:2) in which amino acids 361-384 are substituted with the given sequences (see Fig. 1C) and includes the de-toxifying deletion of amino acid Glu at position 553. See also Example 1 of page 45 of the specification.

The Examiner objected to claim 21 on the ground that it referred to a polynucleotide having an amino acid sequence. Applicant has, therefore, amended the claim to indicate that the polynucleotide encodes an amino acid sequence as given. Applicant also has amended this claim to indicate that PE is detoxified by the deletion of amino acid Glu at position 553.

Applicant requests the Examiner to indicate that the amended claims meet the requirements of Article 6 PCT.

CONCLUSION

In view of the foregoing amendments, Applicant respectfully requests the Examiner to withdraw the objections.

//

//

//

//

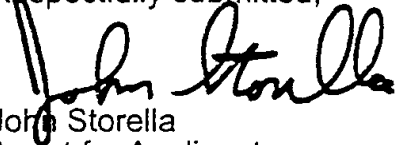
//

//

//

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,


John Storella
Agent for Applicant

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
JRS
SF 1012912 v1